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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/619,617

07/16/2003

Chung-Ung Kim

1293-1738

7308

21171

7590

01/13/2006

STAAS & HALSEY LLP

SUITE 700

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EXAMINER

HALEY, JOSEPH R

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/619,617	Applicant(s) KIM ET AL.	
	Examiner Joseph Haley	Art Unit 2653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7, 9, 13 and 19-21 is/are rejected.
- 7) ☒ Claim(s) 2-6, 8, 10-12, 14-18 and 22-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The I.D.S. filed on 5/16/05 has been considered by the Examiner. However, the Japan and/or other foreign documents, if they have not been written in English, are considered to the extent that could be understood from the English Abstract and drawings.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 7, 9, 13, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (US 6862257) in view of Jung (KR P1999-003365).

In regard to claim 1, Lin teaches an apparatus for automatically adjusting tilting between an optical pickup unit of an optical disc drive, sliding along a pair of rails supported by three adjusting parts and one fixed part (column 2 lines 67 and column 3 lines 1-4), and a turntable on which an optical disc is placed (fig. 1A element 18), the apparatus comprising: a base; placing parts connected to the base, on which the optical disc drive is placed; a plurality of height measurers that measure heights of two portions of each of the pair of rails relative to the base (column 2 lines 55-59. Lin teaches changing the level of the first and second guide shafts hence there must be something that measures the heights of these); adjusters that adjust the adjusting parts

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(Fig. 1 elements 111 and 112 and 121 and 122); a mirror disc mounted on the turntable and spins (fig. 3 element 20); an autocollimator that radiates parallel light beams onto the mirror disc (fig. 3 element 31); a photo detector that detects focused points of the light beams reflected from the mirror disc and the two mirror plates and passing through the autocollimator (fig. 3 element 33); and a controller that calculates an amount of tilting from a distance between the focused points (fig. 3 element 37), however, does not teach two mirror plates installed on the pair of rails.

Jung teaches two mirror plates installed on the pair of rails (see abstract line 5).

The two are analogous art because they both deal with the same field of invention of controlling tilt of an optical disc.

At the time of invention it would have been obvious to one of ordinary skill in the art to provide the apparatus of Lin with the mirrors of Jung. The rationale is as follows: At the time of invention it would have been obvious to provide the apparatus of Lin with the mirrors of Jung because it would allow for focus points from different rails to be used for tilt control.

In regard to claim 7, Lin teaches a monitor that displays the focused points detected by the photo detector (fig. 3 element 35).

In regard to claims 9, 19 and 20, see claim 1 rejection above.

In regard to claim 13, Lin teaches placing the optical disc drive on placing parts; measuring heights of at least two portions of each of the pair of rails (column 2 lines 55-59. Lin teaches changing the level of the first and second guide shafts hence there must be something that measures the heights of these); and adjusting the adjusting

parts so that heights of the pair of rails are the same (Fig. 1 elements 111 and 112 and 121 and 122).

In regard to claim 21, Lin teaches using an autocollimator, onto a mirror disc mounted on the turntable comprises: spinning the mirror disc mounted on the turntable (fig. 5 element 504).

Allowable Subject Matter

Claims 2-6, 8, 10-12, 14-18 and 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach all of the details of the mirror plates along with a first focus point from a mirror plates and a second focus point from the mirror disc.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Haley whose telephone number is 571-272-0574. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jrh



TAN DINH
PRIMARY EXAMINER
11/11/06